

### **REMARKS / ARGUMENTS**

The action by the Examiner of this application, together with the cited references, has been given careful consideration. Following such consideration, claims 1, 7 and 8 have been amended to more clearly define the patentable invention. Moreover, claims 2, 5 and 6 have been canceled. Claims 3 and 4 are unchanged by the present amendment paper. This amendment is presented according to "Revised Amendment Practice" (37 C.F.R. 1.121), effective July 30, 2003. It is respectfully requested the Examiner reconsider the claims in their present form, together with the following comments, and allow the application.

The Examiner has objected to elements of the wording used in claims 5, 7 and 8. The subject matter of claim 5 has been incorporated into claim 1 and the language has been amended to refer to a "first web passageway". The claim has been further amended to define the longitudinal axis of the buckle. Claim 7 has been amended to remove the reference to the horizontal and to instead define the bend in the slot in terms of the resultant shape. Claim 8 has also been amended to remove the reference to the horizontal and the bend in the buckle has now been recited in relation to the previously defined longitudinal axis of the buckle.

The Examiner has rejected claim 1 under 35 U.S.C. 102(b), as being clearly anticipated. Claim 1 has been rewritten to refer only to rucksack buckles. All of the prior art cited by the Examiner pertains to buckles that are intended for use with garters, belts, underwear, or in one case, as a package tie. Claim 1 has also been amended to incorporate the feature of the grip portion as described on page 3 of the application as originally filed and the feature of claim 6. In addition, claim 1 has been amended to include the features of claim 2 and to indicate that the first

opening or web passageway is significantly narrower than the first aperture and also to include the feature of claim 5. As none of the cited prior art references, including the Nonnemacher and Rosenthal references, discloses all of the features now claimed in combination, it is respectfully submitted that the amended claim is novel over both the Nonnemacher and Rosenthal references. Therefore, it is respectfully requested that the Examiner now withdraw the 35 U.S.C. 102(b) rejection to claim 1. Because all other claims listed above depend from claim 1, it is respectfully requested that claims 3, 4, 7 and 8 are now in condition for allowance and that the 35 U.S.C. 103(a) rejection of claim 8 may also be withdrawn.

Applicant further submits that amended claim 1 is inventive over the cited prior art references of Nonnemacher, Rosenthal and Ginnel and over the prior art made of record but not relied upon. As described in the application, the grip portion now recited in claim 1 may be used as a finger and thumb grip to allow the buckle to be firmly grasped by a user, even while wearing mittens or gloves. This allows the buckle to be easily attached to and released from the webbing, even when the user's manual dexterity is impeded. None of the cited references teach or suggest a grip portion as defined by the present claim. Since none of the prior art buckles are intended for use in situations where the user is likely to be wearing mittens, the skilled person would not be motivated to add such a feature to the buckles of the prior art. In fact, the skilled person would consider it desirable that a buckle that was to be used in a gentlemen's garter or a ladies' undergarment should be as small and unobtrusive as possible and would certainly not add an extension to the buckle which would not be of any use in the intended circumstances.

Furthermore, the combination of features now recited in relation to the securing portion, that is, that the first web passageway is significantly narrower than the first aperture and that it is

inclined at an angle to the longitudinal axis of the buckle is inventive over the prior art documents. The Examiner has stated on page 3 of his report (at line 11) that Figure 1 of the Nonnemacher patent discloses the feature of original claim 5, that is, that it shows a web passageway that is inclined at an angle to the longitudinal axis of the buckle. Applicant respectfully disagrees with the Examiner's assessment. Figure 1 of the Nonnemacher patent in fact shows a slot which is substantially horizontal and which does not consist of an aperture accessed by a web passageway. The buckle of the present invention, as shown in the drawings and as defined by the present claims, comprises a distinct web passageway which leads to a much wider aperture and which is inclined at a significant angle to the longitudinal axis of the buckle.

The buckle as now defined by claim 1 allows a captive loop of webbing to be easily threaded into the first aperture via the first web passageway. It is then difficult for the captive loop to slip back out of the aperture because of the relative narrowness of the web passageway. In combination with the operation of the second arm and second aperture, this arrangement means that the captive loop is trapped in the buckle until the user elects to release it.

Contrastingly, no distinct web passageway leads to aperture b2 of the Nonnemacher buckle. In fact, the arm b1 forms a smooth slot b2 of substantially uniform width, which comprises a locking curve b5 at its inner end to grip the tape inserted into the slot. The skilled person would be given no motivation to provide a further means for preventing the tape from escaping from slot b2 and would not, therefore arrive at the buckle of the present invention. The buckle shown in Figure 7 of the Rosenthal reference comprises a smooth slot 9 having an opening 17. The opening 17 is not distinct from the slot 9 and does not prevent a web or tape

from escaping. In fact, the Rosenthal document states on page 4, column 1, line 12, that “the opposed walls of opening 17 preferably are convexly rounded to provide a smooth entrance into the slot 9”. However, the rounded edges would also provide a smooth exit from the slot. There is no suggestion that would lead the skilled person to modify the Nonnemacher buckle or Rosenthal buckles to arrive at the buckle of the present invention, that is, having a narrow passageway inclined to the longitudinal axis of the buckle leading to a wider aperture.

Applicant respectfully submits that the buckle arrangement of the present invention is ideally suited for use with rucksacks. The combination of features now recited in claim 1 ensures that captive loop of webbing will not be shaken loose from the buckle while the rucksack is being carried on the back, but may be easily released, even when the user is wearing mittens, by means of the grip portion of the buckle. Applicant therefore believes that the amended claim 1 is inventive over the prior art documents for the reasons stated above and requests that the Examiner allow the application.

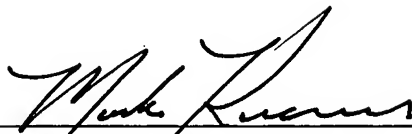
In view of the foregoing, it is respectfully submitted that the present application is now in proper condition for allowance. If the Examiner believes that there are any further matters which need to be discussed in order to expedite the prosecution of the present application, the Examiner is invited to contact the undersigned.

Application No. 10/672,536  
Amendment dated July 6, 2004  
RESPONSE TO OFFICE ACTION dated April 6, 2004



Date: July 6, 2004

Respectfully submitted,

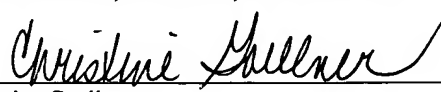
  
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Date: July 6, 2004

  
Christine Goellner